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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/023,234	02/13/1998	THOMAS J. HOLMAN	042390P5658	6664

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EXAMINER	
VERBRUGGE, KEVIN	
ART UNIT	PAPER NUMBER
2188	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/023,234	HOLMAN, THOMAS J.	
	Examiner	Art Unit	
	Kevin Verbrugge	2188	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 September 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/9/04 has been entered.

Response to Amendment

This final Office action is in response to the preliminary amendment accompanying the RCE above. The amendment amended claims 18 and 21. Claims 18-30 are pending. All objections and rejections not repeated below are withdrawn.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner was not able to locate any passages in the specification which describe the newly claimed "the plurality of memory devices each having different signal quality requirements from each other." Applicant is required to point out any and all supporting passages in the specification, if they exist.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites the limitation "the plurality of memory module controller" in lines 6-7. There is insufficient antecedent basis for this limitation in the claim.

The term "signal quality" in claim 18 is a relative term which renders the claim indefinite. The term "signal quality" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

It is not at all clear what is intended by the phrase "different signal quality requirements." How are the signal quality requirements of one memory device different than the signal quality requirements of another device? What are signal quality requirements? There is no standard for ascertaining the degree of "signal quality" either in the claims or in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,045,781 to Levy et al. in view of U.S. Patent 5,319,591 to Takeda et al.

Regarding claim 18, Levy discloses memory modules with selectable byte addressing for a digital data processing system.

Levy shows the claimed plurality of memory devices as low stacks 44 and high stacks 45 in Fig. 1.

He shows the claimed memory module controller as memory transceiver 41 and memory control and timing circuit 42.

He shows the claimed system memory controller as memory management unit 22 and associative memory 24. He shows the claimed system memory bus as memory bus 40.

Levy's memory module controller (memory transceiver 41 and memory control and timing circuit 42) separates the plurality of memory devices from the system memory controller and the system memory bus as claimed. Levy clearly refers to memory transceiver 41 and memory control and timing circuit 42 as his memory module controller at column 4, line 38, and column 5, lines 12-13 and 20-34.

Levy does not explicitly disclose that his memory devices have different signal quality requirements. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use memory devices having different signal quality requirements since this would provide additional flexibility in the type of memory devices that could be used in Levy's memory modules.

Levy mentions using memory devices of different sizes at column 18, lines 28-55 (as mentioned by Applicant). He mentions using devices of "diverse characteristics" at column 2, lines 20-43, specifically mentioning magnetic core memory units and solid state or semiconductor random access memory units. He teaches that "Magnetic core memory units are very popular because they are reliable and retain data even in the absence of electrical power" and that "Semiconductor random access memory units are considerably faster than magnetic core memory units."

Furthermore, Levy specifically teaches using a combination of memory units in the same system. At column 2, lines 20-22, he teaches that "A memory arrangement for a data processing system thus may contain several types of memory units that have diverse characteristics." At column 3, lines 3-5, he discloses that a known "configuration includes both semiconductor random access memory units and magnetic core random access memory units".

And while it is true that he discloses differing types of memory units on a scale larger than a memory module (such as disk and drum devices and tape drives), he also teaches using differing types of memory units between memory modules and even within a single memory module. At column 18, lines 28-30, he teaches "the backup

memory system 29 (Fig. 1) may comprise stacks having diverse characteristics." At column 24, lines 15-18 he teaches that "as shown especially in Fig. 11, each memory controller contains circuitry that enables diverse types of memory stacks to be intermixed within a given memory module." This is understood to mean that memory stacks within a single memory module in Levy's device can have different sizes (as long as the low stack and high stack of each pair have the same size, as taught at column 8, lines 27-28 and at column 16, lines 53-59) as well as different fundamental structures (for example, magnetic core vs. semiconductor, see the above passages as well as column 4, lines 35-37 and claim 5).

Takeda discloses a memory module with different kinds of memory devices and teaches that "It has thus been desired from the standpoint of memory module design to enable memory devices to be combined in a memory module without considering whether or not the memory devices are compatible in temperament" (column 1, lines 48-53) and that "it is an object of the present invention to consider how different kinds of memory devices in a memory module affect one another and to provide an improved memory module having a structure or an arrangement which can be manufactured without regard to the compatibility in temperament or characteristics between respective memory devices" (column 1, lines 56-61). He goes on to discuss the different signal quality requirements of different types of memory devices at column 5, lines 11-45.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include different types of memory devices having different signal quality requirements on Levy's memory modules because Levy shows

intermixing memory modules having diverse characteristics and because Takeda teaches that it was desirable to do so when designing memory modules.

Regarding claim 19, Levy's memory control and timing circuit 42 includes the claimed clock generator since it generates a clock signal to drive the separate signals controlling the plurality of memory devices as claimed. Fig. 11 shows memory control and timing circuit 42 in detail, including control signal generator 145 (which outputs CLK MDR BYTE 0-3 signals), read timing generator 152, and write timing generator 156.

Regarding claim 20, Levy's memory module controller includes the claimed request handling logic since it examines a memory request to determine whether the memory request is addressed to the memory devices in its module and ignores the request if it is not addressed to its memory devices as claimed.

Regarding claim 21, Levy's memory module controller comprises the claimed power management unit because it controls power supplied to the memory devices as claimed. Levy's memory transceiver 41 and memory control and timing circuit 42 control all the signals and data supplied to the memory devices and thereby control the power supplied to the memory devices since power is transmitted on signals. In other words, power in the form of data, control, and timing signals is supplied to the memory devices. The broad language of the claim requires nothing more.

Regarding claim 22, Levy does not teach that his memory devices and the memory bus operate at different voltages. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Levy's device to have the memory devices and the memory bus operate at different voltages to save power. It was well-known in the art at the time of the invention that operating devices at lower voltages reduces the total amount of power consumed, therefore the skilled artisan who was interested in saving the most power would have been motivated to design each component of the system to operate at the lowest possible voltage, thereby motivating him to modify Levy's device so the memory bus and the memory devices operated at different voltages.

Regarding claim 23, since Levy's memory module controller does not send signals to its memory devices when a memory request is not addressed to any of the devices, it can be said that the memory controller reduces the power to the memory devices (since power is transmitted on the signals, as discussed in the rejection of claim 21 above).

Regarding claim 24, since Levy's memory module controller does not send signals to its memory devices when a memory request is not addressed to any of the devices, it can be said that the memory controller decouples the memory devices from the memory bus.

Regarding claim 25, Levy does not teach altering the frequency of a clock signal to the memory devices when a memory request is not addressed to any of the memory devices on a particular module, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to do just that in order to save power.

Regarding claim 26, Levy does not teach disabling his clock generator when a memory request is not addressed to any of the memory devices on a particular module, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to do just that in order to save power.

Regarding claim 27, Levy shows the claimed bus as the low bus (data), high bus (data), and control and timing signals bus in Fig. 1.

Regarding claims 28 and 29, Levy does not disclose that his memory modules are SIMMs or DIMMs, perhaps because such terms were not used in the art at the time of his disclosure. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement his memory modules as SIMMs and DIMMs since those types of memory modules were common at the time of the invention.

Regarding claim 30, Levy's memory devices are volatile.

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Claims 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,045,781 to Levy et al. in view of U.S. Patent 5,319,591 to Takeda et al. and further in view of U.S. Patent 5,257,233 to Schaefer.

Regarding claims 21, 23, and 24, Levy does not explicitly teach that his memory module controller comprises a power management unit.

Schaefer discloses a low power memory module using restricted RAM activation.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Schaefer's power reduction circuitry and techniques in Levy's memory modules to reduce the amount of power consumed. Schaefer teaches that unused memory devices may be powered down or placed in a reduced power mode to reduce the amount of power consumed by the module as a whole. By powering down certain memory devices, they are effectively decoupled from the memory bus.

Regarding claim 22, neither Levy nor Schaefer teach that their memory devices and the memory bus operate at different voltages. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Levy's device to have the memory devices and the memory bus operate at different voltages to save power. It was well-known in the art at the time of the invention that operating devices at

lower voltages reduces the total amount of power consumed, therefore the skilled artisan who was interested in saving the most power would have been motivated to design each component of the system to operate at the lowest possible voltage, thereby motivating him to modify Levy's device so the memory bus and the memory devices operated at different voltages.

Regarding claim 25, Levy does not teach altering the frequency of a clock signal to the memory devices when a memory request is not addressed to any of the memory devices on a particular module, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to do just that in order to save power.

Regarding claim 26, Levy does not teach disabling his clock generator when a memory request is not addressed to any of the memory devices on a particular module, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to do just that in order to save power.

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Claims 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,045,781 to Levy et al. in view of U.S. Patent 5,319,591 to Takeda et al. and further in view of U.S. Patent 5,036,493 to Nielsen.

Regarding claims 21, 23, and 24, Levy does not explicitly teach that his memory module controller comprises a power management unit.

Nielsen discloses a system and method for reducing power usage by multiple memory modules.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Nielsen's power reduction circuitry and techniques in Levy's memory modules to reduce the amount of power consumed. Nielsen teaches that unused memory devices may be powered down or placed in a reduced power mode to reduce the amount of power consumed by the module as a whole. By powering down certain memory devices, they are effectively decoupled from the memory bus.

Regarding claim 22, neither Levy nor Nielsen teach that their memory devices and the memory bus operate at different voltages. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Levy's device to have the memory devices and the memory bus operate at different voltages to save power. It was well-known in the art at the time of the invention that operating devices at lower voltages reduces the total amount of power consumed, therefore the skilled artisan who was interested in saving the most power would have been motivated to design each component of the system to operate at the lowest possible voltage, thereby motivating him to modify Levy's device so the memory bus and the memory devices operated at different voltages.

Regarding claim 25, Levy does not teach altering the frequency of a clock signal to the memory devices when a memory request is not addressed to any of the memory devices on a particular module, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to do just that in order to save power.

Regarding claim 26, Levy does not teach disabling his clock generator when a memory request is not addressed to any of the memory devices on a particular module, however it would have been obvious to one of ordinary skill in the art at the time the invention was made to do just that in order to save power.

Conclusion

Any inquiry concerning a communication from the Examiner should be directed to the Examiner by phone at (703) 308-6663 before 10/14/04 and at (571) 272-4214 after 10/14/04.

Any response to this action should be labeled appropriately (serial number, Art Unit 2188, and After-Final, Official, or Draft) and mailed to Commissioner for Patents, Washington, D.C. 20231 or faxed to (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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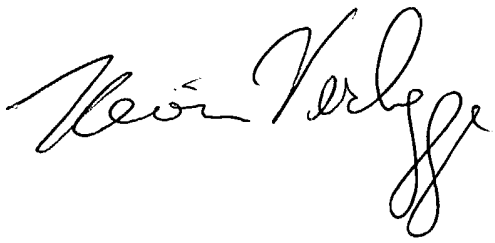

Kevin Verbrugge
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